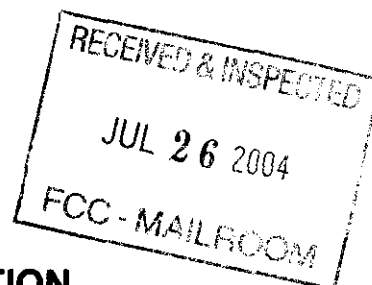


Before The
Federal Communications Commission
Washington, DC 20554

In the Matter of:)

Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
Keno, Oregon))

MM Docket No. 99-275
RM-9704



PETITION FOR RECONSIDERATION

The applicant Renaissance Improvement Association, Inc. (RIAI) does hereby petition for reconsideration of the decision by the Commission of 9 July 04 to dismiss this rule making because the construction permit applications of RIAI and Fatima Response, Inc. (FRI) had been dismissed. A copy of this decision letter is attached to this petition as Exhibit "A". This petition for reconsideration is based on the following:

1. RIAI did respond to the official correspondence request by the Commission for further information and the Commission failed to provide RIAI the required statutory time to reply. RIAI filed a PETITION FOR RECONSIDERATION of the dismissal of their application. A copy of the RIAI petition is attached to this petition as Exhibit "B".

No. of Copies rec'd 14
List ABCDE

2. FRI did respond to the official correspondence request by the Commission for further information and the Commission failed to provide FRI the required statutory time to reply. FRI filed a PETITION FOR RECONSIDERATION of the dismissal of their application. A copy of the FRI petition is attached to this petition as Exhibit "C".

3. As both RIAI and FRI did respond to the request for further information and both RIAI and FRI did file a PETITION FOR RECONSIDERATION of the decision of the Commission to dismiss their applications, both RIAI and FRI do hereby request that the Commission reconsider the decision to dismiss this rule making. The rule making should be left open so that RIAI and FRI can resolve their mutual exclusivity when their applications get ready to be granted.

[Special Note: This document was prepared with the assistance of Mr. George Smith of Pacific Radio Engineering.]

Dated: 22 July 04



Rev. Dr. Sandra Soho, Director
Renaissance Community Improvement Association, Inc.
PO Box 111
Klamath Falls, OR 97601-0006
541-883-6331

EXHIBIT "A"

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,) MM Docket No. 99-275
FM Broadcast Stations.) RM-9704
(Keno, Oregon))
)

REPORT AND ORDER

Adopted: July 7, 2004

Released: July 9, 2004

By the Assistant Chief, Audio Division:

1. The Audio Division has before it the *Notice of Proposed Rule Making* in this proceeding.¹ Malin Christian Church, Inc. filed Comments. Fatima Response, Inc., Renaissance Community Improvement Association, Inc. ("Renaissance Community") and Klamath Basin Broadcasting filed Comments and Reply Comments. For the reasons discussed below, we are dismissing the underlying proposal and terminating this proceeding.

2. At the request of Renaissance Community, the *Notice* proposed the allotment of Channel 235A to Keno, Oregon, in order to permit Renaissance Community to amend its application for Channel 253A at Keno (File No. BPED-950206MB). This would allow Renaissance Community to resolve its mutual exclusivity with an application filed by St. Michael's Catholic Radio (BPED-950206MH). On April 7, 2004, both applications were dismissed for failure to respond to official Commission correspondence.² In view of the dismissal of those applications, there is no basis to go forward with this proceeding.

3. Accordingly, IT IS ORDERED, That the aforementioned Petition for Rule Making filed by Renaissance Community Improvement Association, Inc. IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

5. For further information concerning this proceeding, contact Robert Hayne, Media Bureau, (202) 418-2177.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

¹ *Keno, Oregon*, 14 FCC Rcd 13907 (MMB 1999).

² See 47 C.F.R. § 73.3568(a)(1).

EXHIBIT "B"

1. RIAI did respond to the official correspondence request by the Commission for further information. A copy of the RIAI response is attached to this petition as Exhibit "Blue 2".

2. The Commission did have the response from RIAI when the Commission prepared the letter of dismissal of the application on 7 April 04. A copy of the United States Postal Service express mail receipt "EJ570948360US" is attached to this petition as Exhibit "Blue 3".

3. Due to the age of the original application, it was not possible to update Section II of the application form on the web. Hard copy of the Section II form was requested from the Commission that was only received on 16 March 04. RIAI acted quickly and efficiently as soon as the hard copy form was received from the Commission.

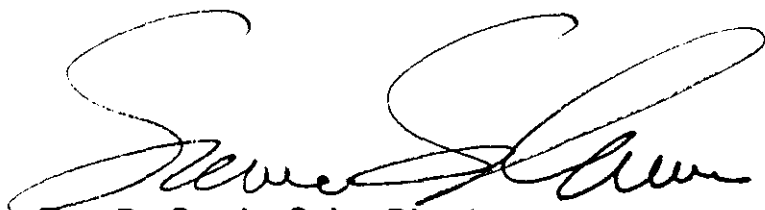
4. The original request from the Commission requested that the reply refer to "1800B3-RAH". It was noted that the letter of dismissal came from "1800B3-TSN". Perhaps the response from RIAI may have been misfiled and/or misdirected due to this change in reply address by the Commission.

5. The 7 April 04 letter of dismissal from the Commission states that "Accordingly, we directed both applicants, within 30 days of the March 18, 2004, letter, to amend their respective applications". This makes the cut off date for the Commission to receive the amended applications to be 17 April 04 (18 March 04 plus 30 days), which is 10 days after the 7 April 04 letter of dismissal??????

6. As RIAI did respond to a request for further information, RIAI does hereby request that the Commission reconsider the decision to dismiss the application.

**[Special Note: This document was prepared with the assistance of Mr. George
Smith of Pacific Radio Engineering.]**

Dated: 19 April 04

A handwritten signature in black ink, appearing to read "Sandra Soho". The signature is fluid and cursive, with a large, sweeping initial "S" and a long, horizontal flourish extending to the right.

**Rev. Dr. Sandra Soho, Director
Renaissance Community Improvement Association, Inc.
PO Box 111
Klamath Falls, OR 97601-0006
541-883-6331**

FEDERAL COMMUNICATIONS COMMISSION

445 12th Street, S.W.
Washington, D.C. 20554
April 7, 2004

In Reply Refer to:
1800B3-TSN

Fatima Response, Inc.
2044 Beverly Plaza, Suite 281
Long Beach, CA 90815

Fatima Response, Inc.
P.O. Box 611
Keno, OR 97627-0611

Renaissance Community Improvement Association, Inc.
7544 Second Street
Downey, CA 97241

Renaissance Community Improvement Association, Inc.
P.O. Box 111
Klamath Falls, OR 97601

RE: Keno, Oregon
Fatima Response, Inc.
d/b/a St. Michael's Catholic Radio
Application for New FM
Construction Permit
File No. BPED-19950206MH

Keno, Oregon
Renaissance Community
Improvement Association, Inc.
Application for New FM
Construction Permit
File No. BPED-19950206MB


Dear Applicants:

On February 17, 2004, we sent a letter to the above-named applicants, noting that we have been unable to resolve certain issues regarding the current ownership and/or control of each of the applicant corporations, Fatima Response, Inc. and Renaissance Community Improvement Association, Inc. Accordingly, we directed both applicants, within 30 days of the March 18, 2004, letter, to amend their respective applications by submitting an updated Section II of the application form (FCC Form 340), copies of their

current corporate charters, articles of incorporation, and the most recent annual corporate report submitted to the State of Oregon. We further stated that failure timely to submit the required amendments, along with correct and complete copies of all required attachments, would result in dismissal of the applications pursuant to Section 73.3568(a)(1) of the Commission's rules.¹

As of this date, we have not received the required amendments and accompanying documentation. Accordingly, under Section 73.3568(a)(1) of the Commission's rules, the applications of Fatima Response, Inc.² and Renaissance Community Improvement Association, Inc.³ ARE DISMISSED for failure to respond to a request for further information and for failure to respond to official correspondence.

Sincerely,


Peter H. Doyle, Chief
Audio Division
Media Bureau

Cc: Luvaas, Cobb, Richards & Fraser, PC

¹ 47 C.F.R. § 73.3568(a)(1).

² BPED-19950206MH.

³ BPED-19950206MB.



POST OFFICE TO ADDRESSEE

EJ570948360US

| | | |
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| ORIGIN (POSTAL USE ONLY) | | |
| PO ZIP Code | Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In Mo. Day Year | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ |
| Time In <input type="checkbox"/> AM <input type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials | Total Postage & Fees \$ |

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INSURANCE COVERAGE LIMITS

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| CUSTOMER USE ONLY | |
| METHOD OF PAYMENT: Express Mail Corporate Acct. No. Federal Agency Acct. No. or Postal Service Acct. No. | <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. <input type="checkbox"/> NO DELIVERY: <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday (Article will be held for pickup by addressee or returned to sender.) Customer Signature |
| FROM: (PLEASE PRINT) 841, 842 - 0321 PO Box 111 Klamath Falls, OR 97601 | TO: (PLEASE PRINT) FCC 1800133 - RAH 445 - 12th Street, SW Washington, DC 20554 |

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www.usps.gov



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PROOF OF SERVICE

STATE OF OREGON, COUNTY OF KLAMATH.

I am a resident in the aforesaid county. I am over the age of eighteen (18) and not a party to the within action. I am readily familiar with the business practice of collection and processing of correspondence for mailing with the United States Postal Service and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business. On 19 April 04, I served the forgoing **PETITION FOR RECONSIDERATION** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope on this date at Klamath Falls, Oregon, and placed for collection and mailing ordinary business practices addressed as follows:

**Mr. Robert J. Wynne
Wynne Broadcasting Company, Inc.
1338 Oregon Avenue
Klamath Falls, OR 97601**

**Mr. J. Dominic Monahan
Luvvas, Cobb, Richards & Fraser, PC
PO Box 10747
Eugene, OR 97440-2747**

Dated: 19 April 04



George Smith

EXHIBIT "C"

Re:

Reference: 1800B3-TSN

- 1. FRI did respond to the official correspondence request by the Commission for further information. A copy of the FRI response is attached to this petition as Exhibit “Blue 2”.**
- 2. The Commission did have the response from FRI when the Commission prepared the letter of dismissal of the application on 7 April 04. A copy of the**

United States Postal Service express mail receipt "EJ570948373US" is attached to this petition as Exhibit "Blue 3".

3. Due to the age of the original application, it was not possible to update Section II of the application form on the web. Hard copy of the Section II form was requested from the Commission that was only received on 16 March 04. FRI acted quickly and efficiently as soon as the hard copy form was received from the Commission.

4. The original request from the Commission requested that the reply refer to "1800B3-RAH". It was noted that the letter of dismissal came from "1800B3-TSN". Perhaps the response from FRI may have been misfiled and/or misdirected due to this change in reply address by the Commission.

5. The 7 April 04 letter of dismissal from the Commission states that "Accordingly, we directed both applicants, within 30 days of the March 18, 2004, letter, to amend their respective applications". This makes the cut off date for the Commission to receive the amended applications to be 17 April 04 (18 March 04 plus 30 days), which is 10 days after the 7 April 04 letter of dismissal??????

6. As FRI did respond to a request for further information, FRI does hereby request that the Commission reconsider the decision to dismiss the application.

**[Special Note: This document was prepared with the assistance of Mr. George
Smith of Pacific Radio Engineering.]**

Dated: 19 April 04

A handwritten signature in black ink, appearing to read "Leroy Demery". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Leroy Demery
Fatima Response, Inc.
PO Box 611
Keno, OR 97627
541-884-8074**

FEDERAL COMMUNICATIONS COMMISSION

**445 12th Street, S.W.
Washington, D.C. 20554
April 7, 2004**

***In Reply Refer to:*
1800B3-TSN**

Fatima Response, Inc.
2044 Beverly Plaza, Suite 281
Long Beach, CA 90815

Fatima Response, Inc.
P.O. Box 611
Keno, OR 97627-0611

Renaissance Community Improvement Association, Inc.
7544 Second Street
Downey, CA 97241

Renaissance Community Improvement Association, Inc.
P.O. Box 111
Klamath Falls, OR 97601

RE: Keno, Oregon
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d/b/a St. Michael's Catholic Radio
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Construction Permit
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Keno, Oregon
Renaissance Community
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As of this date, we have not received the required amendments and accompanying documentation. Accordingly, under Section 73.3568(a)(1) of the Commission's rules, the applications of Fatima Response, Inc.² and Renaissance Community Improvement Association, Inc.³ ARE DISMISSED for failure to respond to a request for further information and for failure to respond to official correspondence.

Sincerely,



Peter H. Doyle, Chief
Audio Division
Media Bureau

Cc: Luvaas, Cobb, Richards & Fraser, PC

¹ 47 C.F.R. § 73.3568(a)(1).

² BPED-19950206MH.

³ BPED-19950206MB.



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Customer Copy

| ORIGIN (POSTAL USE ONLY) | | |
|--|--|--|
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| Time In <input type="checkbox"/> AM <input type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance/ Clerk Initials | Total Postage & Fees \$ |

SEE REVERSE SIDE FOR
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| CUSTOMER USE ONLY | |
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| METHOD OF PAYMENT: Express Mail Corporate Acct. No. Federal Agency Acct. No. or Postal Service Acct. No. | <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if weight of signature is registered. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. <input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/> Customer Signature |
| FROM: (PLEASE PRINT) Leroy Danney PO Box 611 Kenosha, OR 97027 PHONE 541-884-8074 | TO: (PLEASE PRINT) FCC 1500 B3-RAH 445-12th Street SW Washington, DC 20554 PHONE |

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Label 11-B July 1997



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**Mr. J. Dominic Monahan
Luvvas, Cobb, Richards & Fraser, PC
PO Box 10747
Eugene, OR 97440-2747**

Dated: 19 April 04



George Smith

PROOF OF SERVICE

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Dated: 22 July 04



George Smith